

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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Federal Communications Commission
Office of the Secretary

In re Applications of:

MM Docket No. 92-33

**CENTRAL FLORIDA EDUCATIONAL
FOUNDATION, INC.
Union Park, Florida**

File No. BPED-881207MA

**BIBLE BROADCASTING NETWORK, INC.
Conway, Florida**

File No. BPED-890412MJ

**PALM BAY PUBLIC RADIO, INC.
Mims, Florida**

File No. BPED-891127MB

**SOUTHWEST FLORIDA COMMUNITY
RADIO, INC.
Conway, Florida**

File No. BPED-891127MC

**MIMS COMMUNITY RADIO, INC.
Oak Hill, Florida**

File No. BPED-891127MD

**HISPANIC BROADCAST SYSTEM, INC.
Lake Mary, Florida**

File No. BPED-891128ME

**For a New Noncommercial
Educational FM Broadcast**

**To: The Honorable Edward J. Kuhlmann
Administrative Law Judge**

**SOUTHWEST FLORIDA COMMUNITY RADIO, INC.
EVIDENTIARY OUTLINE ON ISSUES TWO AND THREE**

Southwest Florida Community Radio, Inc. (Southwest), pursuant to the Memorandum Opinion & Order, 92M-496 (released April 27, 1992), submits an outline of evidence to be submitted at the hearing on issues 2 and 3 as designated in the Hearing Designation Order, DA92-224 (released March 10, 1992).

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I. ISSUE 2.

A. Number of other reserved channel noncommercial educational FM services available in the proposed service area of each applicant in the area and population proposed to be served by each applicant and the area and population served thereby.

1. Kevin Fisher, with Smith and Powstenko, has been retained to prepare a joint engineering exhibit to address this issue.

B. Whether a share time arrangement between the applicants would result in the most effective use of the channel and thus better serve the public interest and, if so, the terms and conditions thereof.

1. The applicants have met to discuss share time options and will provide a detailed report on May 28, 1992. Southwest will present evidence on the advisability of share time in the event the parties cannot agree on a share time proposal.

C. In light of Section 307(b) of the Communications Act of 1934 as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service?

1. A consulting engineer has been hired as noted to address the Section 307(b) issues included in Issue I(A) above. Southwest will also provide other relevant Section 307(b) evidence relating to the proposed communities of license such as demographic data and existing services.

II. ISSUE 3.

A. The extent to which the proposed operation of Southwest's station will be integrated into the overall cultural and educational objectives of Southwest.

1. Structure and purpose of Southwest.

- a. Not-for-profit nonstock corporation with 11 directors. See generally Ex. 2 of Southwest application.
- b. Cultural and educational goal is to advance the educational goals of public and private educational institutions and of public service and charitable organizations in the service area. See generally Ex. 1 of Southwest application attached.

2. Proposed programming of Southwest to address educational, informational, cultural needs of service area youth, families, and the service area as a whole.

- a. News.
- b. Hispanic programming.
- c. Educational.
 - (1) Programs will include inter alia such educational programming on youth-oriented topics such as drugs, family and social interaction, interpersonal relationships, and religion.
- d. Instructional.
- e. Entertainment.
- f. PSA's.
- g. Student-produced programming.
- h. Cultural.
- i. School-related.
- j. Public affairs.

See generally Exs. 3 and 4 of Southwest application attached.

3. Ascertainment of community needs.

- a. Past ascertainment efforts.
- b. Future proposed ascertainment efforts -- contact with service area residents and community leaders.
- c. Local advisory committee of individuals active in service area educational activities.

4. Likelihood of effectuation.

- a. Broadcast experience of Southwest Board.
- b. Southwest's proven track record of operating stations, including WAYJ-FM, Fort Myers, Florida, and WAYM-FM, Columbia, Tennessee.
- c. The Southwest Board is and has been involved in broadcasting and education.

5. Cooperation with service area schools to promote, support, and air educational events, cultural events, and sports events.

- a. Cooperation with Orange County schools.
- b. Cooperation with service area institutions of higher learning.
- c. Local high school outstanding student salutes.
- d. Interviews with students who possess scholastic and artistic enthusiasm.

6. Integration/involvement of Board in station operations.

- a. Board member experience in broadcasting and education.
- b. Willingness to relocate a Board member to Conway area.

7. Internships at the station.

- a. Past successful track record of training students at WAYJ-FM, Fort Myers, Florida.
- b. Internships for high school and college credit at Conway station.

B. Other factors demonstrating that Southwest will provide a superior FM educational FM broadcast service.

- 1. Auxiliary power.
- 2. Training students for broadcast careers/internships.
- 3. Track record of operating other successful stations.
 - a. Past success with similar or comparable programming.
 - (1) WAYJ-FM, Fort Myers, Florida
 - (2) WAYM-FM, Columbia, Tennessee (recently on-air, but expect to demonstrate positive reception by service area listeners).

* * * * *

Respectfully requested,

**SOUTHWEST FLORIDA COMMUNITY
RADIO, INC.**

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By *A. Wray Fitch III*
A. Wray Fitch III
Its Counsel

May 11, 1992

EXHIBIT #1

The purpose of Southwest Florida Community Radio, Inc. is to advance the educational goals of public and private institutions of education, and of public service and charitable organizations in the Conway/Orange County surrounding area. The applicants Board of Directors is comprised of men and women associated with various public, and private schools. We also will be organizing a local advisory committee of men and women from the Conway area who will be active in involving Orange County educational institutions to further enhance the stations advancement of the arts, culture and education.

The applicant is very much aware of the need to involve youth in the operations of this proposed educational station. As a board, we are very concerned about the growing drug problem, suicide, and crime tendencies which permeate our society. This stimulated the initial concern for our first station WAYJ, located in Fort Myers, Florida. Our commitment to the new broadcast station in the vicinity of Conway, Florida will be to offer a similar service to the community. The applicant has a proven track record of training college, and high school students in all facets of broadcasting. Our board is comprised and directed by individuals who possess an extensive background in broadcasting and in training students in this field. We believe that as young people become active in their community and in communications, they will become better citizens.

The ongoing needs of Conway, and the Orange County area will be regularly ascertained, and educational programs to help meet those needs will be provided by the applicant. Our commitment to serve the local Conway area is further exemplified by the applicants willingness to relocate a board member in the new area to be served. In addition to our local advisory committee, we feel like this will help to enable us to better serve the educational, and cultural needs of the Conway, Florida and the greater Orange County area.

EXIBIT #3

PROGRAMMING STATEMENT OF SOUTHWEST FLORIDA COMMUNITY RADIO, INC.

SOUTHWEST FLORIDA COMMUNITY RADIO, INC. IS A NON-PROFIT, TAX-EXEMPT CORPORATION WHOSE PRIMARY OBJECTIVES ARE AS FOLLOWS:

- I. To provide educational, informational, cultural, and family oriented programming to Conway, Florida. This area is rich in the field of arts, and music.
The proposed station would feature programs that would assist in passing this heritage to the young generation.
- II. To offer a considerable amount of positive programming for area youth through:
 - A. Local high school outstanding student salutes.
 - B. Interviewing students who possess scholastic and artistic enthusiasm.
 - C. Educational programs on youth oriented topics, such as drug awareness, family and social interaction, and interpersonal relationships, and religions.
 - D. Cooperation with Orange County Schools in the promotions of drama presentations, sports activities, musical concerts, and special lectures.
- III. Training students for future broadcasting careers through the offering of internships for both high school, and college credit. This would be coordinated through Orange County public and private schools, and also through nearby colleges that offer journalism, public speaking, and broadcasting courses. Such colleges would include, but not limited to University of Central Florida, Rollins College, and Valentia Community College.
- IV. Restoring respect for family and authority. As a broadcast applicant we have already ascertained that there is a great need in the Conway, greater Orlando area for programming that will address the complex needs of the family. The family breakdown has resulted in a general low self esteem among our youth, under achievement in the classroom, and a drug and alcohol abuse epidemic. Programs will be developed to explore solutions to these problems which permeate nearly every facet of our culture.

It is believed that these objectives are not currently being met in the Conway, greater Orange County area. We have ascertained that the community desires a broadcast outlet to address these needs. The applicant will fully comply with the letter, and spirit of F.C.C. rules and regulations.

EXHIBIT #4

PROGRAM DESCRIPTIONS

The following is a sample of proposed programming for new Conway, Florida non-commercial educational station. This list is not all inclusive, but does represent the types of special programs that will accomplish the educational and stated purpose of Southwest Florida Community Radio, Inc. Additional programs will be added as the needs from Conway area residents are expressed through ongoing ascertainties.

CAREER CONCEPTS:

The applicant has ascertained that youths residing in Central Florida are generally more apathetic than youth in other regions. This apathy filters into the educational process where students about to enter college have little or no knowledge about the possible career choices available to them. The station proposed broadcast facility will feature regular programming that will focus on this problem. Programs would include:

- 1) **Inter Cristo Career Concepts-** a two minute program exploring new avenues of careers and the types of courses students should take to qualify for said careers.
- 2) **Various interview programs-** with students, will be locally produced where guests would be recent college graduates sharing insight and answering questions from students who are unsure of career goals and lack general direction as to what type of higher education they should pursue.

GULFSHORE COLLEGE SPOTLIGHT- Gulfshore Christian College would produce this program (30 minutes weekly) instructing youth and adult listeners on the available areas of credit study available at their Southwest Florida area campus. Professors of Archeology, Science, Bible and Radio Broadcasting would host these informative programs and students who are enrolled in the radio broadcasting course would be actively involved in the writing and producing of the broadcast for credit in their studies.

HIGH SCHOOL INTERN HOUR - One hour daily radio show coordinated by a rotating group of students studying fields of journalism and radio broadcasting at various Orange County public and private high schools. The program will serve to add credit and hands-on experience to students who might otherwise not have the opportunity afforded to them.

ORANGE COUNTY FOCUS ON THE ARTS - This proposed program (length to be determined) would be produced and written by the drama departments of Conway area colleges and high schools. The purpose would be to inform area residents on upcoming art exhibits, drama presentations and musical concerts coming to the Conway/Orlando vicinity. The production of this program may also help to add practical experience to students aspiring radio or the fine arts.

STUDENT METEOROLOGICAL REPORT - Periodically, as serious and unusual weather conditions exist, the station will afford the opportunity for students who are majoring in meteorological studies to produce programs that will educate the listening audience on weather conditions such as hurricanes, tornados and the damages of lightning. Central Florida is known for high incidents of lightening related injuries and deaths.

YOUTHTALK - The applicant has ascertained that the Orange County area has one of the highest percentages of teen drug users and abusers. Further research indicies that reasons for this abuse point to the breakdown of the family structure, lack of religious involvement and respect for authority. The applicant will provide a variety of extensive programs hosted by experienced youth pastors, social workers and teachers that will offer hope and practical advice. One such program will be YOUTHTALK every Sunday evening from 8 to 10PM. The program will be hosted by Anne Wanicka, an English teacher who also possesses experience in dealing with confused, troubled teenagers.

PERSPECTIVE - This weekly 30 minute program will feature interviews with Conway area leaders in education, government, and civic organizations. The topic of discussion will focus on the needs of the growing Central Florida area and how to handle problems associated with this growth.

CERTIFICATE OF SERVICE

I, Christine Kim, in the law offices of Gammon & Grange, hereby certify that I have mailed by first-class, postage-prepaid, U.S. Mail, this 11th day of May, 1992, copies of the foregoing SOUTHWEST FLORIDA COMMUNITY RADIO, INC. EVIDENTIARY OUTLINE ON ISSUES TWO AND THREE to the following:

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* Hand Delivered